

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

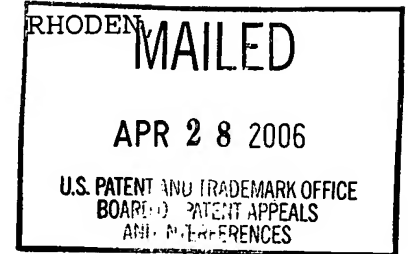
---

Ex parte QI JIA, TIMOTHY C. NICHOLS, ERIC R. RHODEN  
and SCOTT WAITE

---

Application No. 10/091,362

---



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

---

This application was electronically received at the Board of Patent Appeals and Interferences on April 12, 2006. An in-depth review has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below:

The Information Disclosure Statement filed under 37 CFR § 1.97(e)(1) received April 20, 2006, needs to be considered by the examiner with respect to compliance with the criteria set forth in 37 CFR §§ 1.97 and 1.98. A written communication notifying

Application No. 10/091,362

appellants of the examiner's decision to consider the references submitted in the Information Disclosure Statement is required.

Accordingly, it is

ORDERED that the application is electronically returned to the Examiner for:

- consideration of the Information Disclosure Statement filed April 20, 2006;
- written communication notifying appellants of the entry status of the Information Disclosure Statement filed April 20, 2006 ; and
- for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

A handwritten signature in black ink, appearing to read 'Dale M. Shaw', is written over a horizontal line.

DALE M. SHAW  
Program and Resource Administrator  
(571) 272-9797

Application No. 10/091,362

SWANSON & BRATSCHUN, L.L.C.  
1745 SHEA CENTER DR.  
STE. 330  
HIGHLANDS RANCH, CO 80129

DMS/hh